

## COMMITTEE ON HUMAN RESOURCES/INSURANCE

**October 16, 2007**  
**Aldermen Gatsas, Shea,**  
**Garrity, Pinard, Duval**

**4:00 PM**  
**Aldermanic Chambers**  
**City Hall (3<sup>rd</sup> Floor)**

Chairman Gatsas called the meeting to order.

The Clerk called the roll.

Present: Aldermen Gatsas, Shea, and Garrity. Alderman Duval arrived late.

Absent: Alderman Pinard.

3. Communication from Kevin Dillon, former Airport Director, submitting the proposed Aviation Department Voluntary Resignation/Retirement Incentives Program as requested by the Committee previously.  
*(Note: awaiting report from Solicitor, Airport, Human Resources and the Retirement System.)*

Deputy City Clerk Johnson advised that Mr. Ferrin had pulled the communication.

Mr. Ferrin, Interim Airport Director, appeared before the committee advising that he wished to withdraw the communication as there did not appear to be any interest in it.

Chairman Gatsas questioned why we would not put a program in place in case there was interest in the future.

Attorney Clark noted that it would require negotiations with the unions.

On motion of Alderman Shea, duly seconded by Alderman Garrity, it was voted to receive and file the communication.

4. Communication from Virginia Lamberton, Human Resources Director, recommending the city self-insure the dental insurance effective January 1, 2008.

Alderman Garrity moved for discussion. Alderman Shea duly seconded the motion. The motion carried.

Ms. Lamberton stated we have talked about self insuring the dental insurance for a couple of years and was able to recommend that. One of the reasons why is effective July 1, 2006 we had no increase in dental insurance and that is sort of a red flag that the dental insurance company is doing okay. And then this past year they were going to increase it either five or seven percent I forget which and I had Jack Shea get on their back and it went down to 2 ½ percent within a couple of hours, that told me that they are doing okay. Just so you understand with dental insurance it's not like health insurance. Health insurance we can pay out forever for claims, with dental insurance it is limited to \$1,500 per person that is covered. We have more controls over that. Actually Delta Dental after we had finished negotiating the rates for this year had come to me and suggested we self insurance they thought it would be in our best interest, I talked with Jack about it and I thought it would be the best thing we can do for the long run. In the short run it is not saving a lot of money but I think in the long run we will be able to control our rates with them a little better.

Alderman Garrity asked if there would be any problem with contract negotiations and changing the dental to self-insurance.

Ms. Lamberton responded no, the employees don't really know the difference, you are not changing companies nothing is changing except how we pay them, because we would pay them once a month for the claims, we would pay an administrative fee and then they would send us a bill for what the claims were, and we'd pay them. So instead of paying them let's say \$500,000 a month, we might send them \$200,000 stuff like that, it is just an accounting function.

Alderman Shea asked when you benefit from the \$10,000 plus do you put that into a reserve fund of any sort.

Ms. Lamberton stated that stays in the health insurance fund and dental insurance fund. We don't get to spend that it just stays there.

Alderman Shea moved to approve the recommendation to self-insure the dental program. Alderman Garrity duly seconded the motion. There being none opposed the motion carried.

5. Communication from Virginia Lamberton, Human Resources Director, on behalf of the Finance Officer, proposing reclassification of three high level positions which have become vacant due to retirements and resignations and submitting proposed class specifications for Assistant Director – Accounting and Reporting and Assistant Director – Treasury.  
(Note: FY2008 savings will be \$6,680.)

Alderman Garrity moved for discussion. Alderman Shea duly seconded the motion. The motion carried.

Ms. Lamberton stated to be very candid with you I always felt that the deputy finance director was at a higher grade than it should be. The position had almost identical language in it as the finance director and that doesn't make any sense when you have a system such as we have. Upon Bill's arrival we talked about this briefly and he waited and did observations about how the office operated and then we talked some more, he concluded that it would be in the best interest of the city both as functionally as well as financially to take the deputy finance director at labor grade 27 and reallocate it downward to a 24, and call it an assistant director – accounting and reporting, and then the treasurer's position we just change it's title and a few words in the spec but that would remain at a salary grade 24. Then we have eliminated the Information Support Specialist, that needed to be eliminated and instead of that create an Accountant I. If we had not the retirements and the resignations of the three employees that we had for a very long period of time, the savings would have been well over \$100,000 for this year, but since we have to pay out all that money for their pay outs the savings will be less this year but in the long run the savings will be much greater for the city and we will still have the same services.

Alderman Garrity asked what the savings would be the next fiscal year.

Mr. Sanders responded he was estimating a savings of \$120,000 on the salary line.

Alderman Shea stated the only thought that I have that in the event that unfortunately you are out a long period of time is there going to be a designee that would kind of take over or are the two people that are going to be directors as it were in your new classification would they have equal status.

Mr. Sanders replied the two of them would have equal status and I would see them in my absence being responsible for their functional areas.

Alderman Shea asked who would assume your.

Mr. Sanders stated I would have to designate one of them in that situation and in my conversations with Ms. Lamberton I've mentioned I would like more time to evaluate the department before I actually designated a deputy finance director. I think that is still in the long term interest of the city to have that designation with someone but at this point in time I am not ready to say who that might be. I think each of the individuals that I will be putting into each of these jobs has the capability and the experience and the talent to be a deputy finance director at some point.

Alderman Shea stated let me compliment you for your insights and thinking outside as it were the box so it is a great deal of savings for the city taxpayers of Manchester and I appreciate that and Mrs. Lamberton's as well.

Alderman Garrity asked if bond counsel had looked at it and will it have an impact on our bond rating with agencies at all.

Mr. Sanders responded I have not reviewed it with bond counsel or any outside advisers at this point. I think that there would not be any effect on the bond rating we continue to evaluate the resources within the department are important and I think each of these individuals, once bond counsel and others get to know them they will be very comfortable with them.

Alderman Garrity asked if he had compared this structure to other cities of our size.

Mr. Sanders responded he had not, that he looked at how the organization has operated for the last four or five years. Based on my experience on the school side and here and evaluating the functions that needed to be performed in each functional area I think you can clearly break the department into two distinct groups, the treasury function and an accounting and reporting function, and that is how it had historically had run, Ms. Schaffer had operated the treasury function by and large and Mr. Sherman had overseen the accounting and reporting functions so I think that I am really not changing the structure radically it's more in just designating specific people responsible for them.

Alderman Shea moved to accept the recommendations presented. Alderman Garrity duly seconded the motion. The motion carried.

6. Communication from Virginia Lamberton, Human Resources Director, submitting updated class specifications for Fire Chief and Deputy Fire Chief.

Alderman Garrity moved for discussion. Alderman Shea duly seconded the motion. The motion carried.

Ms. Lamberton stated Chief Kane and I had discussed all of the class specs primarily in the minimum qualifications area for fire fighter all the way up to chief, and there kind of hap hazard to say the least and so we concluded that we would work with the chief and the deputy chief and then we would work our way down the hierarchy, and so here today we have the chief and deputy fire chief, the only changes you are going to see is in the minimum requirements and the chief and the deputies all recommend we change them to what they are presented to you today. Ms. Lamberton noted the changes were in bold, the removals were underlined.

Alderman Shea noted this was simply an updating.

Ms. Lamberton concurred that it was an updating, no changes in grade, just what we should be doing with our class specs is updating them.

Alderman Garrity moved to approve the recommendations. Alderman Shea seconded the motion. The motion carried.

7. Communication from Virginia Lamberton, Human Resources Director, on behalf of the Public Health Director, requesting an increase in per diem offered to substitute nurses from \$100 to \$135.  
(*Note: School District concurs with the proposal.*)

Alderman Garrity moved for discussion. Alderman Shea duly seconded the motion. The motion carried.

Ms. Lamberton stated we have problems hiring school nurses, it's a very difficult job and then when the school nurse is unable to come to work we have even bigger problems hiring people to fill in for them. We are required by state rules and laws to have nurses at work based on the number of students is how the formula goes for how many nurses you will have. I can tell you that I happen to know a young lady who became a nurse a year ago and she started out at \$26 an hour, in a hospital setting. That is what we are competing with. Then we are competing

with shift differentials and all kinds of other things and so we really need to do something to get some nurses who might not be working right now but would do something like this for us it would be worthwhile for them to come in for a day or two here and there to earn some extra money.

Chairman Gatsas asked what the increased cost was.

Mr. Soucy replied that it depended on the number of days they used. Last fiscal year they used 45 days so it would be the \$35 times 45, so in our allocation from the school district they allocate \$15,000 as part of our budget with the school district that we can use to pay substitute school nurses, so we project based on the last two years of substitute use that even with the increase we will stay below that threshold of \$15,000.

Alderman Shea noted if they now work 8 hours it is about \$20 an hour. And Ginny had said somebody new was hired at \$26.

Ms. Lamberton noted her daughter had actually graduated and was hired, they offer sign in bonuses, it is incredible because there is a shortage of nurses, what they can get for salary and so on.

Alderman Shea stated in watching the school board meeting they indicated that right now there are certain requirements in terms of nurses accompanying groups does that impact too.

Mr. Soucy responded no, we worked with the school district they are going to be responsible for providing their own nurses for field trips, because when we provide the nurse then we become short a nurse and we are going to the subpool that is so small we are having a tough time recruiting, so they are going to contract an agency nursing to go on trips with children with specialized needs.

Alderman Shea moved to approve the recommendation to increase the per diem. Alderman Garrity seconded the motion. The motion carried.

Alderman Garrity moved for discussion. Alderman Shea duly seconded the motion. The motion carried.

8. Communication from Virginia Lamberton, Human Resources Director, on behalf of the Public Health Director, requesting the reclassification of a Public Health Specialist II, salary grade 19 to a Public Health Specialist I, salary grade 16 and converting the part-time position to a full-time position. *(Note: awaiting receipt of an additional \$20,000 from the NH Department of Health and Human Services therefore no additional general funds expended to support the request.)*

It was noted that the grant had been received and accepted through the CIP process.

Alderman Garrity moved to approve. Alderman Shea duly seconded the motion. The motion carried.

9. Communication from Virginia Lamberton, Human Resources Director, recommending the Public Works Director and Deputy Public Works Director class specifications be updated.

Alderman Shea moved for discussion. Alderman Garrity duly seconded the motion. The motion carried.

Ms. Lamberton stated again, so we don't have to hire some contractor to come in here and help us do this in a couple of years I do try to keep up with the class specs particularly when there is somebody leaving and as you know Frank Thomas is going to be retiring at the end of the year. Since Yarger Decker was here Frank Thomas has been given as the Public Works Director additional duties and responsibilities and I wanted to make sure they were in the class specification and so he added the duties into the class spec for that job and also the deputy position. No change in pay just updating the class specification.

Alderman Garrity asked if there was any changes in the required qualifications at all.

Ms. Lamberton asked in the required.

Alderman Garrity referred to the required special qualifications, architectural license preferred, what's preferred mean.

Ms. Lamberton stated it means that hopefully an engineer or an architect will be selected for the position but if you find somebody who really is a good public works director but let their license expire or something like that that you could hire them without it is what it means.

Alderman Garrity asked if there were any other changes in qualifications.

Ms. Lamberton stated I think under the deputy, when Yarger Decker was here unfortunately what they did was develop minimum qualifications based on the individual who was in the position at the time, and so that is part of why some of the class specs are not really good any more so we just keep trying to chip away at them and what's the basic purpose to this job when we advertise it, what kind of people are we looking to apply for the job so that we get the best person for the job.

Alderman Gatsas asked if either had a residency requirement.

Ms. Lamberton responded I would defer to Tom Clark, but you really can't have a residency requirement.

Solicitor Clark stated no there was no residency requirement.

Alderman Garrity asked if there were any communities that had a residency requirement.

Solicitor Clark responded for specific emergency type jobs some communities do have them. They are not necessarily related to the town lines but usually to a radius of mileage. The Manchester Police Department has a radius of mileage where they have to be within it.

Ms. Lamberton responded a percentage. Fire fighters and Police Officers it's by percentage have to live within the city and a percentage can live outside the city.

Solicitor Clark stated the City at least two times, and I think it is three if I recall correctly, has passed residency requirements for employees and we have lost in the supreme court each time.

Chairman Gatsas stated he is an employee but a department head, and what you are saying is we can't put in a job description for a department as a residency requirement.



Solicitor Clark responded, that is correct, that is what the courts have told us, three times.

Chairman Gatsas asked if the courts have told us as employees or department heads.

Solicitor Clark stated there is no distinction in employee and department head they are both employees.

Alderman Garrity asked if the city of Boston had a residency requirement for their fire fighters.

Ms. Lamberton responded yes they do, but they are emergency personnel.

Alderman Garrity stated I would consider our public works director emergency personnel.

Ms. Lamberton noted that the current public works director does not live in the city.

Chairman Gatsas noted he believed that was an exception at the time.

Ms. Lamberton noted that Mr. Clark had informed her they had been to the supreme court three times, how much do we want to annoy them, they have already determined based on case law, and their own decisions that you cannot do that for these types of positions.

Chairman Gatsas stated I don't have a problem annoying the supreme court if we are here to say the department head should live within the city.

Ms. Lamberton stated through the interview selection process you might want to consider people who live in the city over people who don't live in the city.

Chairman Gatsas stated I think that is where you could run into a problem.

Alderman Shea stated I think that she is indicating that all things being equal, if there are all candidates applying are equal, or two or more candidates are equal and one doesn't reside in the city and one does reside in the city then obviously that would be the fact that would determine the ultimate selectivity of that particular position. But like you said it would have to be a very narrow area there.

Chairman Gatsas asked if there was any way we could request a determination from the supreme court based on department heads only.

Solicitor Clark responded no, they will not give us an advisory opinion.

Alderman Garrity asked how Boston, and other areas out in the mid west can have these requirements.

Solicitor Clark replied their state constitutions were different, it is based on the state constitution, and I would be happy to provide copies of those decisions to the committee if they like.

Alderman Shea moved to approve the recommended changes to the class specs. Alderman Garrity seconded the motion. The motion carried.

10. Communication from Virginia Lamberton, Human Resources, Director, on behalf of the City Solicitor, recommending the eliminating of three levels of Attorneys and recommending that Attorney I and II level be combined to be Attorney I (Prosecutors), salary grade 23; reclassify Attorney III, salary grade 22 to Attorney II, salary grade 25.  
*(Note: cost for balance of FY2008 would be \$14,640.)*

Alderman Garrity moved for discussion. Alderman Shea duly seconded the motion. The motion carried.

Ms. Lamberton stated I have been here for six years now and when I first came here frankly I was astounded at how low the pay was for attorneys and we have had a high turnover of attorneys that come here for a very short period of time and they leave and it is very difficult to replace them because of our pay level and frankly the level of responsibility that we are giving these individuals to prosecute all of the criminals that our police department are catching. It is ridiculous. Like right now we only have half as many prosecutors as we have, how does that help the police department reduce crime. And then we hire somebody, and we have to teach them prosecuting most of the time and get them into the environment and then they move on and it is a never ending revolving door, and besides the fact that they were not given credit for their doctorate degrees under the point factor system as well as some other points so I did do a survey around the different cities and the state and it's attached to this letter and as you will see we pay the worst. As a matter of fact one of our police officer's last year graduated from law school, took the bar and was hired in the city of Nashua for \$64,000 as a new attorney just passing the bar to prosecute just like our attorneys here prosecute at a much lower pay, so I think it is time for us to pay attention to this and have the ability to hire

attorneys and keep those attorneys and make sure all the work that our police officers are doing is backed up by the court system.

Alderman Garrity stated I would assume that Yarger Decker didn't take care of these positions.

Ms. Lamberton responded I can't understand it, it was just beyond my comprehension. It's just you know I have people in my office that are working hard and they are a labor grade 20 but their jobs are not at the same level as an attorney's and an attorney I is a labor grade 20 and it is right in your face, and if you look at the state system they have a 34 grade system and a point factor system, and an Attorney I in the state of NH who is going to work in a state department, who doesn't go to court, they may do administrative rules or something like that, they are a labor grade 25, here we are saying a 20, so if you are just doing comparisons. I think it is really important that we do this and hopefully we won't be constantly recruiting for attorneys.

Alderman Shea stated I know in discussing with tom Clark he indicated as you have indicated the necessity for this and he has also indicated to me that he will make up the differentiation of pay within the current means that he has to upgrade his particular office and in the event that he cannot meet that obligation at the end of the year obviously we would try to help him but as of right now he can meet that obligation because of retirements and the fact that he has that additional money and I think it makes a lot of sense to have people prosecuting cases I think he is too short right now and it doesn't make much sense when we are trying to operate a city and reduce crime that we don't have the necessary tools available to finish the job.

Alderman Garrity asked what the fiscal impact to next year's fiscal year.

Ms. Lamberton responded it will probably be about \$15,000 total.

Alderman Shea moved to approve the recommended class spec and grade changes. Alderman Garrity duly seconded the motion. The motion carried.

### **TABLED ITEM**

11. Communication from Virginia Lamberton, Human Resources Director, requesting that the Grants Coordinator position be reclassified to a new title of VISTA Project Administrator, salary grade 20.

*(Tabled 10/03/2006. Referred to the Human Resources Director on 05/01/2007 to perform a desk audit.)*

On motion of Alderman Garrity, duly seconded by Alderman Shea, it was voted to remove this item from the table.

Alderman Garrity moved for discussion. Alderman Duval duly seconded the motion. The motion carried.

Charmin Gatsas stated the grants coordinator position that was in this classification, do we have a grants writer position in the city.

Ms. Lamberton responded no really, and since we established the grants coordinator, we really haven't had a person writing grants. We had a person going on the Internet and letting people know where they could apply for grants. That was the practical end result of that, which is in part why the incumbent in this position ended up with the VISTA responsibilities.

Chairman Gatsas asked if they had a class spec for a grants writer coordinator.

Ms. Lamberton responded yes we do.

Chairman Gatsas said so that is going to stay in place and we are looking for a VISTA Project Manager.

Ms. Lamberton responded it could be done one of two ways. What the letter says is to reclassify the grants coordinator to the VISTA project coordinator. You could just leave it and create a new position.

Chairman Gatsas stated I would think that would make more sense

Alderman Garrity asked if the police department had a grants writer.

Ms. Lamberton responded not any more, it is my understanding that once Mayor Baines would not let them fill that, it was his opinion that the grants coordinator should be in one place writing grants for the whole city. So that position was put into the Planning Department, that didn't end up happening for a couple of reasons. One is that some of the departments, like Tim Soucy can probably tell you that he has staff there that are subject matter experts in the health field and they write their own grants and the person that was hired was a generalist. The police department as I understand it they've kind of divvied that work out although I am not sure they get as many grants as they used to when they had a full time grant writer. Because grants aren't just to get money there is all kinds of accounting that goes with that and reporting and it is a big responsibility.

Alderman Garrity stated he had a concern that the police department did not have a grants writer, noting there was a lot of opportunities he felt they were missing.

Ms. Lamberton noted that he could ask the mayor to release it, the classification still exists.

Alderman Gatsas stated we will leave the grants position as it stands and create a new one for the VISTA Project Manager.

In response to further question Ms. Lamberton clarified that there were two positions, one unfilled at the police department and then a general one, both at a labor grade 18. The VISTA coordinator was coming out of the VISTA monies, and Mr. Soucy is going to be overseeing that project for now. Eventually she may return to provide a support staff person to help with the checks and balances for this project under the grant as well. For the moment she was looking to get the situation organized and when and if the time required it, she would return with a class specification for a support position.

On motion of Alderman Garrity, duly seconded by Alderman Duval, it was voted to leave the grants coordinator position as it stood, and to recommend establishment of a new classification for the VISTA Project Manager position.

Chairman Gatsas asked how they could find out how many grants the city gets here versus say in Nashua, asking if they had a grant writer in Nashua.

Ms. Lamberton stated she did not know but she would try to find out.

Chairman Gatsas stated he assumed they had a grantwriter in the school district and thought it would make sense to have one person doing both.

Ms. Lamberton noted that it was highly specialized based on her past experience on a school board.

On motion of Alderman Shea, duly seconded by Alderman Garrity, it was voted to adjourn.

A True Record. Attest.

Clerk of Committee